

February 28, 2012

RE: Response to Yesler Terrace Tree Preservation Plan

Mr. Dave LaClergue

On February 16, 2012 the Department of Planning and Development released several pieces of draft legislation related to the redevelopment of Yesler Terrace. The Urban Forestry Commission has reviewed the tree protection documents related to this legislative package and have the following comments/suggestions.

First, we appreciate DPD's attempts to fully document the status of trees on the Yesler Terrace site and to ensure the protection of existing 'exceptional' trees (tier I and tier II). We recognize the effort that has gone into this inventory and assessment. We also commend the City's efforts to ensure the planting of comparable new trees as part of the overall design process, the 10:1 replacement requirement for Tier I trees and the 3:1 replacement requirement for Tier II trees.

Second, at the initial briefing with City staff there was discussion about the existing tree canopy cover on the Yesler Terrace Site and what the tree canopy cover goal for the Yesler Terrace site should be after construction. However, we were not able to find reference to this information in any of the public comment documents. It is therefore our recommendation to add a paragraph to either the Tree Protection Ordinance itself or the Director's Report documenting the existing tree canopy cover for the site and the final tree canopy cover goal. Because Yesler terrace is a unique opportunity and one that has put extensive effort into the tree protection element of the redevelopment, we feel it is important to make the connection between the Yesler Terrace redevelopment and the Urban Forest Management Plan goals.

Third, the tree protection plan states that trees removed in the tier III category will be required to be replaced at a 1:1 ratio. The Urban Forest Commission suggests increasing this replacement to 3:1 for healthy 'exceptional' trees in this category. Even though these trees have been pre-identified as being in conflict with the development process they still represent a valuable asset in our City. By requiring a 3:1 replacement for these trees their value will be recognized and more importantly the ecosystem function that they are providing will be mitigated. Ideally the Commission agrees with DPD's assessment that all replacement trees should be accommodated within the Planned Action area or abutting WSDOT properties, however, if our additional requirement of tree replacement cannot be met in these areas off-site replacement or a mitigation fund could be established.

Fourth, the tree protection plan references Seattle legislation (DR-10-2011) to ensure protection of the critical root zone of trees during construction, however, the Commission would like to see DPD seek additional requirements to ensure tree protection during construction. We suggest the use of a performance bond to insure that trees required to be saved during the construction process survive at least five years after construction is completed. Specifics of the bond agreement should be negotiated by a qualified staff arborist.

Fifth, in addition to protecting trees during the construction process we would like to ensure the survival of newly planted trees within the Yesler Terrace Development. A performance bond could be established to insure that newly planted tree survive at least five years after construction is complete. Specifics of the bond agreement should be negotiated by a qualified staff arborist.

Sixth, we would request a transparent process during the event a developer requests a permit to remove an exceptional tree as part of the development process. This transparency should require at least one public hearing and an independent arborist evaluation of the developer's arborist report.

Seventh, there are many exceptional trees as part of the Yesler Terrace site and therefore many opportunities for these trees to be damaged during the construction process. The Commission has taken public testimony and received communication documenting compromised protection methods during construction at other sites in the city and we want to ensure that this does not happen at the Yesler Terrace site. We ask that the Commission be updated frequently with arborist inspections reports documenting the status of tree protection methods and any actions that the city takes to correct improper or compromised tree protection efforts at Yesler Terrace.

Thank you for the opportunity to comment and for your work to protect trees as part of the Yesler Terrace redevelopment project. Please contact us with any questions you may have and we look forward to continuing to work with your Department and our citizens to ensure protection and enhancement of our urban forest during the Yesler Terrace redevelopment.

Sincerely,